



BLACKWELL ENVIRONMENTAL, LLC

P.O. Box 1570 ☆ Marble Falls, Texas 78654 ☆ (888) 830-7555 ☆ (888) 830-3488 FAX

December 6, 2012

Mr. Zak Covar
Executive Director
Texas Commission on Environmental Quality
Attention: Waste Permits Division, MC 126
P. O. Box 13087
Austin, Texas 78711-3087

Re: Post Oak Municipal Solid Waste Landfill – NOD #3 Supplemental Information
for Application for Permit to Operate Type I MSW Landfill

Dear Mr. Covar:

This NOD#3-Supplemental Information submittal for the proposed Post Oak Landfill, a Type I municipal solid waste facility to be located in Guadalupe County, Texas, is filed on behalf of Post Oak Clean Green, Inc. This submittal consists of Parts I and II in support of a separate determination regarding land use compatibility, as provided for in Health & Safety Code, Section 361.069 and 30 TAC §330.S7(a). Included are four copies (one signed original and three copies) of the application for your review and approval.

We appreciate your review of this permit application. If you or your staff have any questions please do not hesitate to call me.

Please do not hesitate to contact me if you have any additional questions or comments regarding this modification.

Sincerely,

Blackwell Environmental, LLC

James Blackwell,

Texas Firm Registration # F-10908
512-247-8700
jimblackwell@blackwellenv.com

POST OAK MUNICIPAL SOLID WASTE LANDFILL

TYPE I MSW LANDFILL

SEGUIN, GUADALUPE COUNTY, TEXAS

TCEQ PERMIT NO. MSW - #2378

Submitted by:

Post Oak Clean Green, Inc.

P.O. Box 1270

Seguin, TX 78155

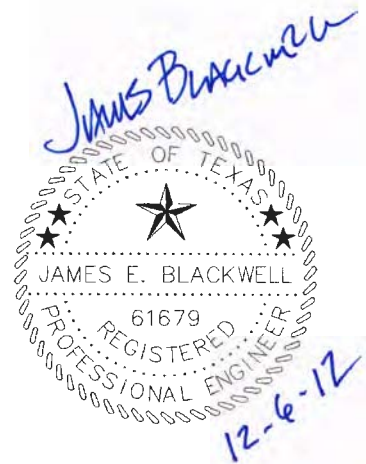
Prepared by:

Blackwell Environmental, LLC

PO Box 1570

Marble Falls, TX 78654

888-830-7555



James E. Blackwell

Texas Professional Engineer

Blackwell Environmental, LLC

Texas Registered Engineering Firm F-10908

Date: December 20, 2011

Revision 1: April 18, 2012

Revision 2: July 21, 2012

Revision 3: October 1, 2012

NOD 3 Supplemental Information: December 6, 2012



BLACKWELL ENVIRONMENTAL, LLC

PO Box1570 ☆ Marble Falls, Texas 78654 ☆ (888) 830-7555 ☆ (888) 830-3488 FAX

Texas Registered Engineering Firm F-10908

December 6, 2012

Mr. Steve Odil, P.E.
Municipal Solid Waste Permits Section, MC 124
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Re: Post Oak Municipal Solid Waste Landfill – Guadalupe County
Municipal Solid Waste (MSW) – Permit Application No. 2378
Permit Modification - Third NOD - **Supplemental Information**
Tracking No. 15134774; CN604018655/RN106314990

Dear Mr. Odil:

In response to the Third Notice of Deficiency issued by the TCEQ for the proposed Post Oak Municipal Solid Waste Landfill (permit application no. 2378), and in order to provide supplemental information and clarification to comments received from the TCEQ, Blackwell Environmental, LLC has modified Parts I and II of the application and is now submitting these revisions in order to comply with all rules and regulations of the TCEQ and provide all information requested. Specifically the following comments were made by the TCEQ and responses have been provided in the application as noted:

Easement

- 1) Comment 3 of the third NOD requested additional information regarding a general pipeline easement within the permit boundary. Information in the application clarifies that a right of way was granted to the Phillips Petroleum Company on April 16, 1982 by Henry and Mildred Dix. The right of way grant indicates that the rights revert to the grantor upon one year non-transmittal of product. This response provides a map entitled "Texas Pipelines" from the Railroad Commission of Texas and the cover letter indicates that this is provided to demonstrate that there are no active pipelines located beneath the proposed landfill location, The new figure does not provide the proposed permit boundary, If this figure is to be provided, it must include the permit boundary. The figure has a bar scale indicating that there are 4,000 feet per inch, an indication that the scale is 1" = 2,000, and another indication that*

the "printed scale" is 1" = 8,000 ft. All scales and bar scales must be consistent. The disclaimer on the figure appears to indicate that "Users are responsible for checking the accuracy, completeness, currency, and/or suitability of these data sets:" the figure is dated September 28, 2012 and so could not demonstrate one year of non-transmittal of product. Please provide confirmation that the right of way has been relinquished, such as by documentation that product has not been transmitted for at least one year, documentation that the line has been purged and capped for at least a year or documentation from the former grant holder that the right-of-way has been relinquished.

RESPONSE:

The application has been modified to provide additional affidavits from persons with personal knowledge of the pipeline in question. The map previously included, provided to us by the Railroad Commission, has been removed from the application because it is not useful in demonstrating non-transmittal of product for at least one year and because of the discrepancies in scale and the base map used that made it difficult to precisely locate the permit boundary.

Waste Acceptance Plan (WAP)

2) *Comment 7 of the third NOD requested clarification in the WAP of any and all processing that will occur at the facility. The response indicates that "there will be no processing facilities at the Post Oak Landfill." Appendix 2, Figure 1, Facility Layout Map indicates that the facility will include an approximately 2~5-acre "Mulch, Compost and [Construction and Demolition Waste] Processing Area." Please note that chipping, composting and mulching are processing activities in accordance with 30 TAC §330.3(117). Please clarify whether these processing activities, and any others, are proposed at this facility, If processing will occur, update the page 2 of the Part I form to indicate that processing activities will also be covered by this application and clarify all proposed processing activities in the WAP. Please note that the response provides a maximum daily waste disposal rate, which is not required by rule but would be permit provision if provided in the application.*

RESPONSE:

The application has been updated in the Part I form to indicate that processing will occur and in the text of Part II to indicate that "there are no waste processing activities included in this permit application other than the mulching and composting

of yard waste and other clean wood.

- 3) *Comment 8 of the third NOD reiterated concerns over inconsistent and contradictory information in the WAP. This condition remains.*
- a. *As noted previously, the first sentence of the WAP indicates that the facility will accept only MSW and special wastes identified in 30 TAC §330.171. This sentence would indicate that Class 2 and Class 3 waste is excluded, as Class 2 and Class 3 wastes are not special waste. Class 2 and Class 3 wastes would be authorized on page 7.*
 - b. *Section 30 TAC §330.171 includes Class 1 waste under 330.171(b)(4), which the facility indicates will not be accepted on page 8. On page 8, under Other Waste Types, the application indicates that special wastes will be accepted in accordance with 30 TAC 330.171(C). Please note that 30 TAC 330.171(C)(1) refers to untreated medical waste, not to "medical waste" as listed at the top of page 8.*
 - c. *This list at the top of page 8 appears to be referring to non-regulated asbestos-containing waste (non-RACM), not "non-regulated RACM."*
 - d. *Nearly all of the wastes specified in the list at the top of page 8 are then listed again under what is headed by "The facility will not accept the wastes discussed below." For example, RACM and non-RACM are listed as wastes to be accepted, and then the prohibited waste list includes discarded materials containing asbestos. Discarded materials containing asbestos are composed of RACM and non-RACM. The permit may not authorize and prohibit acceptance of a waste type. Please address these concerns.*

RESPONSE:

The application has been revised to address all of these concerns. The WAP has been re-formatted to include only two lists: those wastes accepted and those not acceptable. The WAP has been carefully reviewed to remove discrepancies or inconsistent information.

- 4) *In further consideration of comment 8 of the third NOD, liquid waste is listed as a waste that may be accepted in accordance with 30 TAC §330.171(c), but liquid waste must be processed before disposal to stabilize all free liquids, and you have indicated that you will not be processing at the facility. Please explain.*

RESPONSE:

The WAP has been revised to clearly state that liquid waste will not be accepted at the facility.

- 5) *In further consideration of comment 8 of the third NOD, the solid bullet on page 8, introducing what appears to be a prohibited waste list, includes contradictory language. A heading indicates that "The facility will not accept the waste discussed below." Below this the application indicates that the wastes listed will not be accepted without prior approval from the Executive Director (ED). The ED would not authorize the facility to accept prohibited wastes. Please remove any language suggesting that the ED would authorize disposal of prohibited wastes.*

RESPONSE:

The WAP has been revised to remove the references to "prior approval from the ED" and to more clearly define those wastes accepted and those prohibited for disposal at this facility.

- 6) *In further consideration of comment 8 of the third NOD, the second solid bullet on page 9 prohibits sewage sludge waste "in accordance with 330.1S(t)." First, you include sewage sludge on the authorized waste list on page 8 and on the prohibited waste list, also on page 8. Second, 30 TAC §330.1S(f) does not prohibit a landfill from disposing of sewage sludge waste; it clarifies that at MSW facilities that receive sewage sludge, failure to satisfy the criteria of Chapter 330 is a violation of the Federal Clean Water Act. Please delete this bullet from the WAP.*

RESPONSE:

This item has been removed from the WAP.

- 7) *In further consideration of comment 8 of the third NOD, the third solid bullet on page 9 prohibits test boring drilling waste "in accordance with 330.15(g)." Please note that 30 TAC §330.15(g) does not prohibit a landfill from disposing of test boring drilling waste; it prohibits the drilling of test borings through previously deposited waste or cover material without prior written authorization from the ED. Please delete this bullet from the WAP.*

RESPONSE:

This item has been removed from the WAP.

8) *Comment 10 of the third NOD again requested all applicable limiting parameters for waste to meet the requirements of 30 TAC §330.61(b)(1). Comment 10 reiterated numerous examples of limiting parameters for waste that appear to be needed in the WAP. The examples in comment 10 were incorporated into the application, primarily in the apparent prohibited wastes lists on pages 8 through 10. Please provide a brief discussion in the WAP of limiting parameters for each waste that will be accepted at the facility. Where no limiting parameters exist for a given waste type (such as household waste) the text should explain this. Please provide limiting parameters for each waste type to be accepted at the proposed facility to meet the requirements of 30 TAC §330.61(b)(1).*

RESPONSE:

The WAP has been revised to include a brief description of limiting parameters where applicable.

Growth Trend Demonstration

9) *Comment 13 of the third NOD requested clarification regarding a description of current growth trends within five miles of the permit boundary and directions of development, as required by 30 TAC §330.61(h)(3). The response indicates that eight-year-old maps are the most recent available; however, as noted in the comment, the map does not extend five miles in all directions from the facility. Approximately 20 of the area within five miles of the permit boundary is within Gonzales County. Only county-wide growth rates are provided for Gonzales County. Provide a description of growth trends within five miles of the permit boundary and directions of development to meet the requirements of this rule. Also, text on page 21 indicates that the new data is provided in "Appendix 2 of this section." This information immediately follows page 21 and does not appear to be in Appendix 2. Please correct this language to clearly indicate where this information is found. Also note that in accordance with 30 TAC 330.61(f)(2), a series of aerial photographs can be used to show growth trends. We are available to discuss this option if you wish.*

RESPONSE:

The text discussing growth trends and directions of development has been extensively revised to more clearly present all available information. In addition to the

information previously presented (which includes future growth projections for the area within 5 miles from the AACOG (referring to growth by the "TAZ map" areas), for Guadalupe County, and the TxDOT One-Stop document, for Gonzalez County), an analysis of growth trends and areas of development has been conducted using aerial photographs. The results of this analysis are presented in the Part II text on page 25.

Coordination

10) Comment 17 of the third NOD noted that coordination correspondence to and from TxDOT is provided in Appendix 5 and that we awaited their acceptance of your design: and an indication that you have addressed all concerns and questions from TxDOT to meets the requirements of 30 TAC §330.61(i)(4). The response indicates that the most recent correspondence-with TxDOT is now provided in Appendix 5, including a complete list of remaining submittals and steps required for the final review and approval from TxDOT, to be provided as a driveway permit. We await documentation of the final review and approval from TxDOT.

RESPONSE:

The correspondence with TxDOT has continued, with the submittal of updated Traffic Analysis projections and the inclusion of additional roadway improvements. A final statement from the TxDOT was received on December 4, 2012 that indicates that, once all agreed upon roadway improvements are completed, "the roads used to access the facility should be adequate for the expected traffic volumes for the expected life of the facility." This new correspondence, with the updated traffic volumes analysis and sketches of the proposed roadway improvements, is included in Part II, Appendix 5.

11) Comment 18 of the third NOD noted that Appendix 5 includes Exhibit II-S.1, 'Vehicular' Traffic Volume. This exhibit indicates that the total number of trips related to the facility in its first year is 119 total trips while the original submittal of the application and in the response to the first NOD, this value was 340 total trips. Comment 18 requested an explanation of this change, This comment should also have noted that the calculation was not provided in the application, as requested in the second NOD. The response to comment 18 indicates that the traffic count in the first application submittal did not differentiate between types of waste hauling trucks, but the cover letter to the response to the first NOD appears to provide this breakdown as 45 "packer truck," 45 "transfer truck," and 10 "waste delivered loose;" This breakdown appears to have been followed in the current information, based on the traffic

count information provided in Appendix 5. It appears that waste acceptance rates at the time of opening have been reduced. This would explain the reduction in traffic counts from 340 to 119; This information would be clearer with submittal of Part III of the application, but for now please explain if this is the case and if so, why. If not, please provide an explanation of why traffic counts decreased after the original submittal. And, regardless, please provide calculations in the application so that staff may confirm traffic counts used.

RESPONSE:

The information included on the original Traffic Volumes Analysis, Part II, Appendix 5, Figure 1, was in error and did not match the updated waste acceptance rates expected. This error was corrected with the submittal of a Revised Traffic Volumes Figure to TxDOT by email on November 20, 2012. This submittal resulted in additional coordination and revisions to the planned roadway improvements, see the response to number 10, above.

12) Comment 19 of the third NOD requested response correspondence from the United States Army Corps of Engineers (USACE) to demonstrate their approval of proposed wetlands mitigation activities to address the requirements of 30 TAC §330.61(in)(2). We await documentation of a final decision from the USACE. Please note that a demonstration in accordance with 30 TAC §330.553(b)(1) - (5) would allow the MSW Permits Section to proceed with further processing of the application while submittal of the USACE permit is awaited.

RESPONSE:

The application includes the demonstration in accordance with 330.553 in Part II, Appendix 10, the Location Restriction Demonstration. Review of the permit application made to the USACE is ongoing and, although no final decision has been made from the USACE, we have received correspondence that the permit review is progressing without any additional information needed at this time.

13) Comment 21 of the third NOD expressed concern about whether the biological assessment provided in Appendix 7 is adequate to address the facility as defined by the expanded permit boundary. Appendix 7-1 includes a statement that SWCA Environmental Consultants (SWCA) assessments cover "the area as illustrated (red boundary) on Figure 3, General Topographic Map." Please provide a cover letter from SWCA to show that the assessment in Appendix 7-3 and the supplemental comments provided in Appendix 7-1 were prepared by a

qualified biologist in accordance with 30 TAC §330.61(n)(2).

RESPONSE:

A cover letter from the SWCA has been included to document the source of the comments in Appendix 7.

14) Comment 22 of the third NOD noted incorrect figure designations in the biological assessment, provided in Appendix 7. The figure designations have been corrected but the date of the report has not changed. Please update the report date to reflect when changes were most recently made. Figures should include a revision block indicating when changes were made in accordance with 30 TAC §330.57(h)(4)(C).

RESPONSE:

The report included in Appendix 7 has been updated by SWCA.

15) Comment 23 of the third NOD requested that correspondence to and from the Federal Aviation Administration (FAA) regarding the Old Kingsbury Aerodrome Airport be provided in Appendix 10. The attachment now includes a copy of correspondence to the airport and to the FAA and the response letter indicates that no return correspondence has been received. We await the response from FAA.

RESPONSE:

The application now includes updated correspondence to and from the FAA and Old Kingsbury Aerodrome Airport in Part II, Appendix 10.

16) Comment 46 of the third NOD requested clarification as to whether the historical assessment provided as Appendices 8 of the application adequately addresses the facility as defined by the new permit boundary. The information provided remains inadequate. Our rules require assessment within the permit boundary; "area proposed to be affected by project impacts" is not defined in our rules. Please provide text to explain how the provided assessment covers the area within the currently proposed permit boundary or revise the assessment and re-coordinate with the Texas Historical Commission.

RESPONSE:

The application now includes a new historical assessment and updated coordination with the Texas Historical Commission for the area within the permit boundary but not included in the previous assessment. This updated assessment and coordination is included in Part II, Appendix 8.

Geology/Hydrogeology

17) Comment 24 of the third NOD requested additional information in Part II, Section 330.61(h), Impact to Surrounding Area, regarding a discussion of known wells. No discussions were provided to Section 330.61(h) regarding known wells. In accordance with §330.61(h)(5), please included an additional section, "Section 330.61(h)(5) - Known Wells Discussion," and provide a description and discussion of all known wells within 500 feet of the proposed facility, or provide the location where this information is provided.

RESPONSE:

A new section 330.61(h)(5) has been added to page 27 of the Part II text with a discussion and description of all known wells within 500 feet of the permit boundary. The information presented in Part II, Appendix 1, Figure 6 has also been updated to show the approximate locations of all known oil and water wells within 500 feet of the permit boundary.

18) Comment 25 of the third NOD indicated figures referenced in Part II, Section 330.61(j), General Geology and Soils Statement, did not match the figures provided in Appendix 2-1. The Response to Comment 25 indicates that figure numbers in Section 330.61(j) have been revised to match the appropriate figure in Appendix 2-1; however, Figure 1 referenced in the first sentence of Section 330.61(j), along with many other figures referenced in this section, are incorrect. Please revise all figure references in this section to match the figures provided in Appendix 2-1.

RESPONSE:

The text of Part II of the application has been carefully edited to correctly reference the figures in Appendix 2-1. Figure references have been revised throughout Part II of the application.

19) Comment 34 of the third NOD requested revisions to Part II, Appendix 2-1, Figure 1, General Location Map, on which the permit boundary was indicated as the property boundary. The Response to Comment 34 indicates that this figure

was modified accordingly; however, this figure was not revised. Please revise this figure by replacing the identifier label "Property Boundary" on the figure with "Permit Boundary."

RESPONSE:

Figure 1 has been revised to correctly identify the "Permit Boundary" rather than the property boundary.

20) Comment 36 of the third NOD requested revisions to Part II, Appendix 2-1, Figure 5, Additional Location Demonstration Map, on which the Section 330.61(c)(8) note indicated there are no airports within six miles of the facility. The Response indicates that Figures in Appendix 2-1 has been modified accordingly; however, this figure was not revised. Please revise this figure to accurately reflect airports within six miles of the permit boundary.

RESPONSE:

Figure 5 of Part II, Appendix 2 has been revised to indicate that only one airport is located within six miles of the permit boundary. This airport is shown on Figure 1.

21) Comment 44 of the third NOD requested one additional compliance well, or more, to adequately monitor groundwater in the 425 Sand. In Part II, Appendix 1, Figure 25, 425 Sand - Proposed Compliance Monitoring Well Locations, it appears that an additional compliance well was added in the vicinity of monitoring well MW-51; however, based on the apparent groundwater flow direction, the easternmost compliance well should be relocated approximately 200 feet east to ensure proper compliance coverage in that area. Please adjust the positions and spacing of the 425 Sand compliance wells, not to exceed 600 feet.

RESPONSE:

The groundwater monitoring wells for the 425 Sand as shown on Figure 25 have been modified to be shown at a spacing of 500 feet with a note on that figure indicating that final well locations will be surveyed in the field at a spacing of less than 600 feet.

22) Comment 45 of the third NOD requested review of the well spacing of some of the compliance wells. The response cover letter indicates that compliance well

spacing has been decreased to 500 feet. If there are references to a 500-foot well spacing in the application, please consider removing them, as the regulatory requirement for point of compliance well spacing is 600 feet in accordance with 30 TAC §330.403(a)(2). Also, please review compliance well spacing on Figure 26. Two of the points of compliance wells appear to be separated by more than 600 feet, which does not satisfy the compliance well spacing requirement. Please provide a figure that demonstrates compliance with 30 TAC §330.403(a)(2).

RESPONSE:

The application has been revised to include a well spacing for all compliance monitoring wells of 500 feet in Figure 26 with a note on that figure indicating that final well locations will be surveyed in the field at a spacing of less than 600 feet. The text of Part II has been revised where needed to state that spacing will be less than 600 feet.

Four complete copies of the application (one original and three copies) are being provided.

We appreciate your review of this permit application. If you or your staff have any questions please do not hesitate to call me.

Sincerely,

Blackwell Environmental, LLC



James Blackwell, P.E.

jimblackwell@blackwellenv.com

888-830-7555 Office

512-247-8700 Cell

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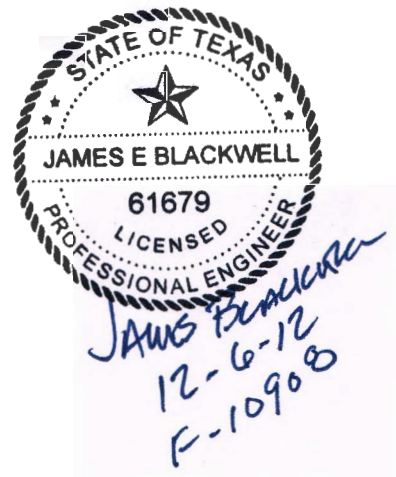
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Blackwell Environmental, LLC
Texas Registered Engineering Firm F-10908

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TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

1. Reason for Submission (If other is checked please describe in space provided)	
<input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application)	
<input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)	<input type="checkbox"/> Other
2. Attachments Describe Any Attachments: (ex. Title V Application, Waste Transporter Application, etc.)	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Type I Part I & II MSW Permit Application
3. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**
CN	4. Regulated Entity Reference Number (if issued) RN

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy)	12/14/2011
6. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check only one of the following:	
<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
<input type="checkbox"/> Occupational Licensee	<input type="checkbox"/> Responsible Party
<input checked="" type="checkbox"/> Owner & Operator	<input type="checkbox"/> Voluntary Cleanup Applicant
<input type="checkbox"/> Other: _____	
7. General Customer Information	
<input checked="" type="checkbox"/> New Customer	<input type="checkbox"/> Update to Customer Information
<input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State)	<input type="checkbox"/> Change in Regulated Entity Ownership
<input type="checkbox"/> No Change**	
**If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information.	
8. Type of Customer:	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> City Government	<input type="checkbox"/> Individual
<input type="checkbox"/> County Government	<input type="checkbox"/> Federal Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> Sole Proprietorship- D.B.A
<input type="checkbox"/> General Partnership	<input type="checkbox"/> State Government
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Other: _____
9. Customer Legal Name (If an individual, print last name first: ex: Doe, John) <i>If new Customer, enter previous Customer below</i> End Date:	
Post Oak Clean Green, Inc.	
10. Mailing Address:	P.O. Box 1270
City	Seguin
State	TX
ZIP	78155
ZIP + 4	
11. Country Mailing Information (if outside USA)	12. E-Mail Address (if applicable)
USA	post oakproject@gmail.com
13. Telephone Number	14. Extension or Code
(888) 885-6606	
15. Fax Number (if applicable)	
(830) 386-0661	
16. Federal Tax ID (9 digits)	17. TX State Franchise Tax ID (11 digits)
264397615	0801094982
18. DUNS Number (if applicable)	19. TX SOS Filing Number (if applicable)
20. Number of Employees	21. Independently Owned and Operated?
<input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION III: Regulated Entity Information

22. General Regulated Entity Information (If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)	
<input checked="" type="checkbox"/> New Regulated Entity	<input type="checkbox"/> Update to Regulated Entity Name
<input type="checkbox"/> Update to Regulated Entity Information	<input type="checkbox"/> No Change** (See below)
**If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information.	
23. Regulated Entity Name (name of the site where the regulated action is taking place)	
Post Oak Municipal Solid Waste Landfill	

24. Street Address of the Regulated Entity: <i>(No P.O. Boxes)</i>	7787 Farm to Market Road 1150						
	City	Seguin	State	TX	ZIP	78155	ZIP + 4
25. Mailing Address:	P.O. Box 1270						
	City	Seguin	State	TX	ZIP	78155	ZIP + 4
26. E-Mail Address:							
27. Telephone Number	28. Extension or Code		29. Fax Number <i>(if applicable)</i>				
(888) 885-6606			(830) 386-0661				
30. Primary SIC Code (4 digits)	31. Secondary SIC Code (4 digits)	32. Primary NAICS Code (5 or 6 digits)		33. Secondary NAICS Code (5 or 6 digits)			
4953	n/a	562212		n/a			
34. What is the Primary Business of this entity? <i>(Please do not repeat the SIC or NAICS description.)</i>							
Type I - Municipal Solid Waste Landfill							

Questions 34 - 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:	440 acre site located approximately 12.1 miles east of Seguin, Texas. Travel IH-10 East from Seguin 9.9 miles to Dix Road; South on Dix road 1.2 miles to FM 1150; East on FM 1150 1.0 miles to the site.					
36. Nearest City	County	State		Nearest ZIP Code		
Seguin	Guadalupe	TX		78155		
37. Latitude (N) In Decimal:	29.60520		38. Longitude (W) In Decimal:	97.72440		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds	
29	36	18.73	97	43	27.87	

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form Instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Industrial Hazardous Waste	<input checked="" type="checkbox"/> Municipal Solid Waste
<input type="checkbox"/> New Source Review - Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS	<input type="checkbox"/> Sludge
<input type="checkbox"/> Stormwater	<input type="checkbox"/> Title V - Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil	<input type="checkbox"/> Utilities
<input type="checkbox"/> Voluntary Cleanup	<input type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:

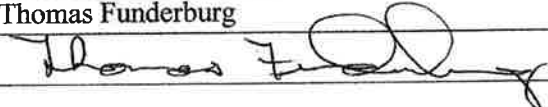
SECTION IV: Preparer Information

40. Name:	James E. Blackwell, P.E.	41. Title:	Professional Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(512) 247-8700		(888) 830-3488	jimblackwell@blackwellenv.com

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

Company:	Post Oak Clean Green, Inc.	Job Title:	President
Name <i>(In Print)</i> :	Thomas Funderburg	Phone:	(888) 885-6606
Signature:		Date:	12/14/2011

POST OAK MUNICIPAL SOLID WASTE LANDFILL

TYPE I MSW LANDFILL

SEGUIN, GUADALUPE COUNTY, TEXAS

TCEQ PERMIT NO. MSW - #2378

PART I

Submitted by:

Post Oak Clean Green, Inc.

P.O. Box 1270

Seguin, TX 78155

Prepared by:

Blackwell Environmental, LLC

PO Box 1570

Marble Falls, TX 78654

888-830-7555



James E. Blackwell
Texas Professional Engineer

Blackwell Environmental, LLC
Texas Registered Engineering Firm F-10908

Date: December 20, 2011

Revision 1: April 18, 2012

Revision 2: July 21, 2012

Revision 3: October 1, 2012

NOD 3 Supplemental Information: December 6, 2012

**POST OAK MUNICIPAL SOLID WASTE LANDFILL
TYPE I MSW LANDFILL
PART I
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Legal Authority **Appendix 3**

Appointments **Appendix 4**

Copy of Application Fee Payment **Appendix 5**

Date: December 20, 2011
Revision 1: April 18, 2012
Revision 2: July 21, 2012
Revision 3: October 1, 2012



James Blackwell
12-6-12

Part 1



Texas Commission on Environmental Quality

Permit or Registration Application for Municipal Solid Waste Facility

Part I

A. General Information

Facility Name:	Post Oak Municipal Solid Waste Landfill			
Physical or Street Address (if available):	7787 Farm to Market Road 1150			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(888) 885-6606			
Charter Number:	0801094982			

If the application is submitted on behalf of a corporation, provide the Charter Number as recorded with the Office of the Secretary of State for Texas.

Operator Name ¹ :	Post Oak Clean Green, Inc.			
Mailing Address:	P.O. Box 1270			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(888) 885-6606			
(Area Code) FAX Number:	(830) 386-0661			
Charter Number:	0801094982			

If the permittee is the same as the operator, type "Same as Operator".

Permittee Name:	Same as Operator			
Physical or Street Address (if available):				
(City) (County)(State)(Zip Code):			TX	
(Area Code) Telephone Number:				
Charter Number:				

If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.

Agent Name:	Thomas Funderburg			
Mailing Address:	P.O. Box 1270			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(888) 885-6606			
(Area Code) FAX Number:	(830) 386-0661			

Application Type:

<input checked="" type="checkbox"/>	Permit	<input type="checkbox"/>	Major Amendment	<input type="checkbox"/>	Minor Amendment
<input type="checkbox"/>	Registration	<input type="checkbox"/>	Modification	<input type="checkbox"/>	Temporary Authorization
		<input type="checkbox"/>	w/Public Notice		
		<input type="checkbox"/>	w/out Public Notice	<input type="checkbox"/>	Notice of Deficiency Response

¹ The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on this application [Section 361.087 Texas Health and Safety Code].

Facility Classification:

<input checked="" type="checkbox"/>	Type I	<input type="checkbox"/>	Type IV	<input type="checkbox"/>	Type V	<input type="checkbox"/>	Type IX
<input type="checkbox"/>	Type I AE	<input type="checkbox"/>	Type IV AE	<input type="checkbox"/>	Type VI		

Activities covered by this application (check all that apply):

<input type="checkbox"/>	Storage	<input checked="" type="checkbox"/>	Processing	<input checked="" type="checkbox"/>	Disposal
--------------------------	---------	-------------------------------------	------------	-------------------------------------	----------

Waste management units covered by this application (check all that apply):

<input checked="" type="checkbox"/>	Containers	<input type="checkbox"/>	Tanks	<input type="checkbox"/>	Surface Impoundments	<input checked="" type="checkbox"/>	Landfills
<input type="checkbox"/>	Incinerators	<input checked="" type="checkbox"/>	Composting	<input type="checkbox"/>	Type IV Demonstration Unit	<input type="checkbox"/>	Type IX Energy/Material Recovery
<input type="checkbox"/>	Other (Specify)			<input type="checkbox"/>	Other (Specify)		
<input type="checkbox"/>	Other (Specify)			<input type="checkbox"/>	Other (Specify)		

Is this submittal part of a Consolidated Permit Processing request, in accordance with 30 TAC Chapter 33?

Yes No

If yes, state the other TCEQ program authorizations requested.

Provide a brief description of the portion of the facility covered by this application. For amendments, modifications, and temporary authorizations, provide a brief description of the exact changes to the permit or registration conditions and supporting documents referenced by the permit or registration. Also, provide an explanation of why the amendment, modification, or temporary authorization is requested.

Does the application contain confidential Material? Yes No

If yes, cross-reference the confidential material *throughout the application* and submit as a separate document or binder conspicuously marked "CONFIDENTIAL."

Alternative Language Notice Instructions

For certain permit applications, public notice in an alternate language is required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, trigger a bilingual education program to apply to an entire school district should the requisite alternative language speaking student population exist. However, there may not exist any bilingual students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as a part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site, or has students who attend such a program at another location in satisfaction of the school's obligation to provide such a program as a member of a triggered district.

If it is determined that an alternative language notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic

versions of the Spanish template examples are available from the TCEQ to help the applicant complete the publication in the alternative language.

Alternative Language Notice Application Form:

Alternative language notice confirmation for this application:

1. Is a bilingual program required by the Texas Education Code in the school district where the facility is located? YES NO

(If NO, alternative language notice publication not required)

2. If YES to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility? YES NO

(If YES to questions 1 and 2, alternative language publication is required; If NO to question 2, then consider the next question)

3. If YES to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location? YES NO

(If Yes to questions 1 and 3, alternative language publication is required; If NO to question 3, then consider the next question)

4. If YES to question 1, would either the elementary school or the middle school nearest to the facility be required to provide a bilingual education program but for the fact that it secured a waiver from this requirement, as available under 19 TAC '89.1205(g)? YES NO

(If Yes to questions 1 and 4, alternative language publication is required; If NO to question 4, alternative language notice publication not required)

If a bilingual education program(s) is provided by either the elementary school or the middle school nearest to the facility, which language(s) is required by the bilingual program?

SPANISH

Note: Applicants for new permits and major amendments must make a copy of the administratively complete application available at a public place in the county where the facility is, or will be, located for review and copying by the public.

Public place where administratively complete permit application will be located.				
Public Place (e.g., public library, county court house, city hall, etc.):	Guadalupe County Courthouse			
Mailing Address:	211 West Court Street			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	830-303-8857			

B. Facility Location

Except for Type I AE and Type IV AE landfill facilities, for permits, registrations, amendments, and modifications requiring public notice, provide the URL address of a publicly accessible internet web site where the application and all revisions to that application will be posted.	
www.postoakcleangreen.com	
Local Government Jurisdiction:	Guadalupe County
Within City Limits of:	None
Within Extraterritorial Jurisdiction of City of:	None
Is the proposed municipal or industrial solid waste disposal or processing facility located in an area in which the governing body of the municipality or county has prohibited the disposal or processing of municipal or industrial solid waste? (If YES, provide a copy of the ordinance or order):	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Provide a description of the location of the facility with respect to known or easily identifiable landmarks.
The 440 acre site is located approximately 12.1 miles east of Seguin, Texas

Detail the access routes from the nearest United States or state highway to the facility.
From the intersection of Highway 123 and IH-10 in Seguin, Texas, travel IH-10 East 9.9 miles to Dix Road (FM 1104); South on Dix Road 1.2 miles to FM 1150; East on FM 1150 1.0 miles to the site.

Provide the latitudinal and longitudinal geographic coordinates of the facility.

Latitude	N 29.60520
Longitude	W 97.72440
Elevation (above msl)	460 feet above msl

Is the facility within the Coastal Management Program boundary?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

Texas Department of Transportation District Location:

TXDOT District Name & Number:	San Antonio, 15			
District Engineer's Name:	Mario G. Medina, P.E.			
Street or P. O. Box:	P.O. Box 29928			
(City) (County)(State)(Zip Code):	San Antonio	Bexar	TX	78229-0928
(Area Code) Telephone Number:	(210) 615-1110			
(Area Code) FAX Number:	(210) 615-6115			

The local governmental authority or agency responsible for road maintenance:

Agency Name	Guadalupe County			
Contact Person's Name:	Larry Timmermann			
Street or P. O. Box:	2605 North Guadalupe			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(830) 379-9721			
(Area Code) FAX Number:	(830) 372-3249			

State Representative:

District Number:	44			
State Representative's Name:	John Kuempel			
District Office Address:	523 E. Donegan #102			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(512) 463-0602			
(Area Code) FAX Number:	(512) 480-0391			

State Senator:

District Number:	25			
State Senator's Name:	Jeff Wentworth			
District Office Address:	1250 N.E. Loop 410, 925 North Frost Center			
(City) (County)(State)(Zip Code):	San Antonio	Bexar	TX	78209
(Area Code) Telephone Number:	(210) 826-7800			
(Area Code) FAX Number:	(210) 826-0571			

Council of Government (COG) Information:

COG Name:	Alamo Area Council of Governments			
COG Representative's Name:	Mike Wiggins			
COG Representative's Title:	County Judge			
Street or P. O. Box:	307 W. Court Street, Suite 200			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(830) 303-8857 (Press 5)			
(Area Code) FAX Number:	(830) 303-4064			

River Basin Information:

River Authority:	GBRA (Guadalupe-Blanco River Authority)			
Contact Person's Name:	W. E. West, Jr.			
Watershed Sub-Basin Name:	Middle Guadalupe (110)			
Street or P. O. Box:	933 East Court Street			
(City) (County)(State)(Zip Code):	Seguin	Guadalupe	TX	78155
(Area Code) Telephone Number:	(830) 379-5822			
(Area Code) FAX Number:	(830) 379-9718			

This site is located in the following District of the U.S. Army Corps of Engineers:				
<input type="checkbox"/> Albuquerque, NM	<input checked="" type="checkbox"/> Ft. Worth, TX	<input type="checkbox"/> Galveston, TX	<input type="checkbox"/> Tulsa, OK	

See attached Part I page 11 Addendum Sheet for Additional Local Officials List.

C. Maps

General

For permits, registrations, and amendments only, submit a topographic map, ownership map, county highway map, or a map prepared by a registered professional engineer or a registered surveyor which shows the facility and each of its intake and discharge structures and any other structure or location regarding the regulated facility and associated activities. Maps must be of material suitable for a permanent record, and shall be on sheets 8-1/2 inches by 14 inches or folded to that size, and shall be on a scale of not less than one inch equals one mile. The map shall depict the approximate boundaries of the tract of land owned or to be used by the applicant and shall extend at least one mile beyond the tract boundaries sufficient to show the following:

See attached Part I, Appendix 1, Figures 1 and 2.

each well, spring, and surface water body or other water in the state within the map area;

Shown on Appendix 1, Figure 2.

the general character of the areas adjacent to the facility, including public roads, towns and the nature of development of adjacent lands such as residential, commercial, agricultural, recreational, undeveloped, etc;

The surrounding area is predominantly rangeland. See attached "Character of Adjacent Land Map," Part I, Appendix 1, Figure 4.

the location of any waste disposal activities conducted on the tract not included in the application; and

There are no on-site waste disposal activities not included in this application. This note is Included on Figure 3 and 4 of Appendix 1.

the ownership of tracts of land adjacent to the facility and within a reasonable distance from the proposed point or points of discharge, deposit, injection, or other place of disposal or activity.

The property owner list is included on Part I, Appendix 1, Figure 3.

General location maps

For permits, registrations, and amendments only, submit at least one general location map at a scale of one-half inch equals one mile. This map shall be all or a portion of a county map prepared by Texas Department of Transportation (TxDOT). If TxDOT publishes more detailed maps of the proposed facility area, the more detailed maps shall also be included in Part I. Use the latest revision of all maps.

See Part I, Appendix 1, Figure 1

Land ownership map

Provide a map that locates the property owned by adjacent and potentially affected landowners. The maps should show all property ownership within 1/4 mile of the facility, on-site facility easement holders, and all mineral interest ownership under the facility.

See Part I, Appendix 1, Figure 3

Landowners list

Provide the adjacent and potentially affected landowners' list, keyed to the land ownership map with each property owner's name and mailing address. The list shall include all property owners within 1/4 mile of the facility, easement holders, and all mineral interest ownership under the facility. Provide the property, easement holders', and mineral interest owners' names and mailing addresses derived from the real property appraisal records as listed on the date that the application is filed. Provide the list in electronic form, as well.

List is included on Part I, Appendix 1, Figure 3.

D. Property owner information

For permits, registrations, amendments, and modifications that change the legal description, a change in owner, or a change in operator only, provide the following:

- (1) the legal description of the facility;
 - (A) the abstract number as maintained by the Texas General Land Office for the surveyed tract of land;
 - (B) the legal description of the property and the county, book, and page number or other generally accepted identifying reference of the current ownership record;
 - (C) for property that is platted, the county, book, and page number or other generally accepted identifying reference of the final plat record that includes the acreage encompassed in the application and a copy of the final plat, in addition to a written legal description;
 - (D) a boundary metes and bounds description of the facility signed and sealed by a registered professional land surveyor;
 - (E) on-site easements at the facility, and
 - (F) drawings of the boundary metes and bounds description; and

Property Owner Information is included in the form of a Survey Drawing and accompanying field notes in Part I, Appendix 2.

The following areas have been defined for facility operations:

Landfill Operations Area: Area within permit boundary enclosing all waste units, surface water control ponds, and other facility operations.

Access & Landfill Use Area: Area within permit boundary not included in deed restriction, provided for landfill operations area access, and drainage and stockpile areas.

Limited Use Deed Restricted Area: Variable width area designated within permit area for conservation and improvement of natural environment surrounding landfill operational

area. This area will not be affected by landfill operations and includes areas for stream and wetland mitigation activities under agreement with the Corps of Engineers.

These areas are also illustrated, with proposed language for the Deed Restriction, in Part II, Appendix 2, Figure 6.

Utility Easements: The Existing Electrical easements were for service to now defunct oil wells. Specific meets and bounds were never provided for the installation of electrical service lines. These lines have now been abandoned. **Pipeline easement:** The Gas Pipeline across the K-4 Ranch property has been abandoned in accordance with Railroad Commission requirements several years ago. An Affidavit of Abandonment, recorded in V.314 Pg.0373 Guadalupe County Records is included in Part I, Appendix 2 of the application. In addition to the Affidavit in Support of Abandonment of Pipeline and Termination of Right of Way, a certified map from the Railroad Commission of Texas that indicates there are no active pipelines beneath the proposed landfill location has been provided in Part I, Appendix 2.

(2) a property owner affidavit signed by the owner. – **See Page 10 of this form.**

E. Legal authority

Provide verification of the legal status of the owner and operator, such as a one-page certificate of incorporation issued by the secretary of state. List all persons having over a 20% ownership in the proposed facility.

See Part I, Appendix 3 for a copy of notice from Secretary of State of Incorporation for Post Oak Clean Green, Inc.

Indicate Ownership status of the facility:									
<input type="checkbox"/>	Private	<input checked="" type="checkbox"/>	Corporation	<input type="checkbox"/>	Partnership	<input type="checkbox"/>	Proprietorship	<input type="checkbox"/>	Non-Profit Organization
<input type="checkbox"/>	Public	<input type="checkbox"/>	Federal	<input type="checkbox"/>	Military	<input type="checkbox"/>	State	<input type="checkbox"/>	Regional
<input type="checkbox"/>	County	<input type="checkbox"/>	Municipal	<input type="checkbox"/>	Other (Specify)				

Does the operator own the facility units and the facility property? Yes No

If "No," for permits, registrations, amendments, and modifications that changes the legal description, a change in owner, or a change in operators submit a copy of the lease for the use of or the option to buy the facility units or facility property, as appropriate, and identify:

Owner Name:	
Street or P. O. Box:	
(City) (County) (State) (Zip Code):	
(Area Code) Telephone Number:	
(Area Code) FAX Number:	
Charter Number:	

F. Evidence of competency

For permits, registrations, amendments, and modifications that change the legal description, a change in owner, or a change in operators submit a list of all Texas solid waste sites that the owner and operator have owned or operated within the last ten years.

Site Name	Site Type	Permit/Reg. No.	County	Dates of Operation
NONE				

Submit a list of all solid waste sites in all states, territories, or countries in which the owner and operator have a direct financial interest.			
Site Name	Location	Dates of Operation	Regulatory Agency (Name & Address)
NONE			

A licensed solid waste facility supervisor, as defined in 30 TAC Chapter 30, Occupational Licenses and Registrations will be employed before commencing facility operation.

Provide the names of the principals and supervisors of the owner's and operator's organization, together with previous affiliations with other organizations engaged in solid waste activities.		
Name	Previous Affiliation	Other Organization
Thomas Funderburg – President of Post Oak Clean Green, Inc.	None	None
Norman Funderburg – Secretary/Treasurer of Post Oak Clean Green, Inc.	None	None
Patricia Funderburg – Vice President of Post Oak Clean Green, Inc.	None	None
James Funderburg – Director of Post Oak Clean Green, Inc.	None	None

For landfill permit applications only, evidence of competency to operate the facility shall also include landfilling and earthmoving experience if applicable, and other pertinent experience, or licenses as described in 30 TAC Chapter 30 possessed by key personnel. The number and size of each type of equipment to be dedicated to facility operation will be specified in greater detail on Part IV of the application within the site operating plan.

Landfilling/Earthmoving Equipment Types	Personnel Experience or Licenses
2 – 82GH Cat Landfill Compactors	
2 – D7E WH Cat Track Dozers	
1 – 973D Cat Track Loader	
2 – 4,000 Gal. Smith Water Trucks	
1 – M Series Cat Motor Grader	
1 – 613 Cat Self Loading Scraper	
Other equipment which may be necessary or required will be either rented or purchased at the time of need.	

Post Oak Landfill will employ a qualified Landfill Operator and Equipment Operators in accordance with TCEQ rules before the issuance of a permit.

For mobile liquid waste processing units, submit a list of all solid waste, liquid waste, or mobile waste units that the owner and operator have owned or operated within the past five years. Submit a list of any final enforcement orders, court judgments, consent decrees, and criminal convictions of this state and the federal government within the last five years relating to compliance with applicable legal requirements relating to the handling of solid or liquid waste under the jurisdiction of the commission or the United States Environmental Protection Agency. Applicable legal requirement means an environmental law, regulation, permit, order, consent decree, or other requirement.

Solid waste, liquid waste, or mobile waste units owned or operated within past 5 years	Texas and federal final enforcement orders, court judgments, consent decrees, and criminal convictions
NONE	

G. Appointments

Provide documentation that the person signing the application meets the requirements of 30 TAC §305.44, Signatories to Applications. If the authority has been delegated, provide a copy of the document issued by the governing body of the owner or operator authorizing the person that signed the application to act as agent for the owner or operator.

Engineer’s Appointment is attached as Part I, Appendix 4.

H. Application Fees

For a new permit, registration, amendment, modification, or temporary authorization, submit a \$150 application fee.

For authorization to construct an enclosed structure over an old, closed municipal solid waste landfill in accordance with 30 TAC 330 Subchapter T, submit a \$2,500 application fee.

If paying by check, send payment to:

Texas Commission on Environmental Quality
 Financial Administration Division, MC 214
 P. O. Box 13087
 Austin, Texas 78711-3087

Payment maybe made online using TCEQ e-pay at www.tceq.state.tx.us/e-services/	
E-pay confirmation number	

A copy of the Application Payment is attached as Part I, Appendix 5.

PROPERTY OWNER AFFIDAVIT

"I, THOMAS FUNDERBURG
(property owner)

acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure and post-closure care of the facility. For a facility where waste will remain after closure, I acknowledge that I have a responsibility to file with the county deed records an affidavit to the public advising that the land will be used for a solid waste facility prior to the time that the facility actually begins operating as a municipal solid waste landfill facility, and to file a final recording upon completion of disposal operations and closure of the landfill units in accordance with Title 30 Texas Administrative Code §330.19, Deed Recordation. I further acknowledge that I or the operator and the State of Texas shall have access to the property during the active life and post-closure care period, if required, after closure for the purpose of inspection and maintenance."

Thomas Funderburg
(Owner signature)

Dec 4, 12
(Date)

Signature Page

I, THOMAS FUNDERBURG _____ PRFS
(Operator), (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Thomas Funderburg Date: Dec 4, 12

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

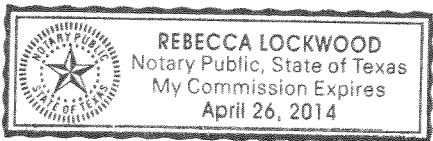
Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said THOMAS FUNDERBURG

On this 12TH day of DECEMBER, 2012

My commission expires on the 26TH day of APRIL, 2014



Rebecca Lockwood
Notary Public in and for

GUADALUPE County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)

Post Oak MSW Landfill
Type I MSW Landfill Permit Application

Part I Addendum
TCEQ form 0650, Part I Application
Additional Local Officials List

Mayor of Seguin, Texas:
Betty Ann Matthies
210 E. Gonzales
P.O. Box 591
Seguin, TX 78155
(830) 401-2308

Guadalupe County Judge:
Judge Mike Wiggins
211 West Court St.
Seguin, TX 78155
(830) 303-8857 Ext. 5
Fax: (830) 303-4064

Guadalupe County Environmental Health Director:
Larry Timmermann
2605 North Guadalupe
Seguin, TX 78155
(830) 303-4188 Ext. 269
Fax: (830) 401-0300

Guadalupe County is located in Texas Department of State Health Services Region 8:
Sandra Guerra, Regional Director
DSHS Region 8
7430 Louis Pasteur
San Antonio, TX 78229
(210) 949-2000
Fax: (210) 949-2015

State Representative:
John Kuempel, District 44
523 E. Donegan #102
Seguin, TX 78155
(512) 463-0602
Fax: (512) 480-0391

State Senator:
Jeff Wentworth, District 25
1250 N.E. Loop 410, 925 North Frost Center
San Antonio, TX 78209
(210) 826-7800
Fax: (210) 826-0571

Post Oak MSW Landfill
Type I MSW Landfill Permit Application

Part I Addendum

TCEQ form 0650, Part I Application

List of Other Permits

§305.45(a)(5) ACTIVITIES REQUIRING A PERMIT

- The applicant, Post Oak Clean Green, Inc. will operate a Type I Municipal Solid Waste Landfill at the site in Guadalupe County, Texas. In accordance with state and local regulations, the following permits will be required for these operations: For the operation of a Type I MSW Landfill, Parts I and II of an application for MSW Permit Number 2378 was submitted to the Texas Commission on Environmental Quality (TCEQ) on December 27, 2011.
- The grading and drainage modifications will require a U.S. Army Corps of Engineers (USACE) 404 permit. The USACE permit application was submitted on December 19, 2011. The permit application was assigned project number SWF-2011-00192 by the USACE. The USACE published the public notice for the permit application on February 27, 2012.
- The operation of the MSW landfill will require a certification to operate under the Air Quality Standard Permit from the TCEQ.
- The construction road improvements at the access point to the facility on FM 1150 will require a driveway permit and the approval of the Texas Department of Transportation (TxDOT).
- The discharge of stormwater from the site will require an authorization from the TCEQ to operate under the Multi-Sector General Permit of the Texas Pollutant Discharge Elimination System (TPDES). A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and a Notice of Intent to comply with TPDES General Permit TXR050000 will be submitted before waste is accepted at the facility.
- The drilling of a water well on the site for the production of working water and the drilling of monitoring wells will require well permits and registration from the Guadalupe County Groundwater Conservation District.
- The installation of an on-site sewage facility (septic tank) for the site office will require a permit from the Guadalupe County Environmental Health Department.

The following is a list of other existing or pending State and/or Federal permits or construction approvals which pertain to pollution control or industrial solid waste management activities conducted by this facility or at this location:

Government Relevant Program and/or Law	Permit No.	Agency*
Texas Solid Waste Disposal Act	Part I & II of a Type I MSW Permit Application were submitted to the TCEQ on 12/27/2011	TCEQ
Wastewater disposal under the Texas Water Code	None	---
Underground injection under the Texas Water Code	None	---
Texas Clean Air Act	To be applied for simultaneously with Part III of the Type I MSW application	TCEQ
Texas Uranium Surface Mining & Reclamation Act	None	---
Texas Surface Coal Mining & Reclamation Act	None	---
Hazardous Waste Management program under the Resource Conservation and Recovery Act	None	---
UIC program under the Safe Drinking Water Act	None	---
TPDES program under the Clean Water Act	A Storm Water Pollution Prevention Plan (SWPPP) will be prepared and a Notice of Intent to comply with TPDES General Permit TXR050000 will be submitted before waste is accepted at the facility.	TCEQ
PSD program under the Clean Air Act	None	---
Nonattainment program under the Clean Air Act	None	---

Government Relevant Program and/or Law	Permit No.	Agency*
National Emission Standards for Hazardous Pollutants (NESHAP) Pre-construction approval under the Clean Air Act	None	---
Ocean dumping permits under the Marine Protection Research and Sanctuaries Act	None	---
Dredge or fill permits under section 404 of the Clean Water Act	None	---
Texas Radioactive Control Act	None	---

NOTE: No additional environmental permits not already addressed Part I of this application will be required.

Post Oak MSW Landfill
Type I MSW Landfill Permit Application

Part I Addendum
TCEQ form 0650, Part I Application
Applicant's Business Description

Post Oak Clean Green, Inc. is a development management company that specializes in waste management projects. We are in the business to design, permit, construct and operate solid waste landfills, recycling facilities, composting facilities, environmental research and wildlife management facilities. Those persons with ownership of Post Oak Clean Green, Inc. are also indicated below.

Post Oak Clean Green, Inc. contracts a unique staff of experienced professionals from the engineering, environmental, design and construction industries. This approach enables us to form creative, practical, and environmental solutions to our waste management challenges.

Key Personnel:

Officers:

Name	Position	Facility Ownership
Mr. Tom Funderburg	President	60%
Mrs. Pat Funderburg	Vice President	20%
Mr. Norman Funderburg	Secretary/Treasurer	10%
Mr. J. W. Funderburg	Director	10%

Professionals:

Name	Position
James E. Blackwell, PE	Project Manager/Chief Engineer
Daniel Hinckley, PE	Civil Engineering
Randy Waclawczyk, PG	Geology/Hydrogeology
Bobby Burge, PE	Soil Mechanics
Christine Westerman	Cultural Resources, Historic Preservation, Wetlands
Calvin Woods, Ph.D, PE	Environmental Research